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March 23, 1995

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Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

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FEDERAL ELECTION COMMISSION  
MAR 27 1995

Re: MUR 3774 - American Defense Foundation

Dear Ms. Smith:

I am writing in response to your letter notifying me that the Federal Election Commission had received additional information from Robert Bauer regarding a complaint filed on behalf of the Democratic Senatorial Campaign Committee which alleged violations of certain sections of the Federal Election Campaign Act of 1971, as amended. Your office provided to me a copy of this additional information. The transmittal letter stated that this new information styled "Supplemental Complaint" is being considered as an amendment to the original Democratic Senatorial Campaign Committee complaint.

An examination of the "Supplemental Complaint" shows that it fails to provide any new facts, allegations or arguments regarding any activity of the American Defense Foundation. This "Supplemental Complaint" fails to make any reference to the American Defense Foundation, except for a single footnote erroneously comparing contributions to the American Defense Foundation to those contained or alleged in the supplemental complaint. As in the original complaint, the Democratic Senatorial Campaign Committee fails to allege any acts of the American Defense Foundation which violate the Federal Election Campaign Act under any reasonable and constitutional interpretation. The supplemental complaint is irrelevant to the Commission's consideration of this matter in regards to the American Defense Foundation.

Alva E. Smith, Esquire  
March 24, 1995  
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The "Supplemental Complaint" appears to be solely based on a Washington Post story which makes no direct or indirect reference to the American Defense Foundation, any of its programs or activities. The American Defense Foundation is unaware of the Commission's intent regarding the other respondents in this matter, but it is clear that the Commission should promptly dismiss this MUR in regards to the American Defense Foundation.

It is unfair to this organization that such clearly meritless charges remain unrejected by this Commission after almost two years.

If you should have any questions regarding this matter, please do not hesitate to contact me.

Sincerely yours,



E. Mark Braden

EMB/rvn